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 NORTHERN DISTRICT OF CALIFORNIA

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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12

13 MCI, LLC

) No. CV-06-80319-MISC

14 Plaintiff,

) JOINT REQUEST TO CONTINUE
) HEARING UNTIL JULY 27, 2007 AND
) TO APPEAR BY TELEPHONE

15 v.

16 JOHN DOE

17 Defendants.

18
 19 The parties hereby jointly request that the hearing in this matter, now scheduled for this
 20 coming Friday, June 8, 2007, be continued to and through July 27, 2007. In support of this joint
 21 request, the parties state as follows:

22 1. As explained in the parties' Joint Status Report and Request to Stay All Proceedings
 23 dated Dec. 18, 2006, counsel for the parties to this dispute have met and conferred and have arrived
 24 upon a temporary resolution of the issues raised by the pending motion to quash. Specifically, the
 25 parties have agreed to limit the scope of Yahoo!'s initial production in response to the pending
 26 subpoenas and to revisit, only if need be at a latter date, the appropriate scope of any additional
 27 production by Yahoo! pursuant to those subpoenas.

28 //

2. At the end of April 2007, MCI named as defendants in the underlying Eastern District of Virginia action, the Communication Workers of America as well as two individuals (Harry Arnold and Pam Tronsor). Those defendants have now moved to dismiss the underlying Eastern District of Virginia action, and a hearing on their motions is set for June 15, 2007. The parties expect that the Eastern District of Virginia will rule on the pending motions in the latter part of June of 2007, which will clarify the need, if any, to proceed in this Court on the matter of the appropriate scope of any additional production by Yahoo! pursuant to the pending subpoenas.

3. To allow the process on which the parties have agreed to continue to play out, and to give the Eastern District of Virginia time to determine whether or not the underlying action will proceed, the parties respectfully request that the Court grant their Joint Motion to Stay Proceedings on the Pending Motion to Quash in this matter, and continue until July 27, 2007 the previously scheduled June 8, 2007 hearing in this matter.

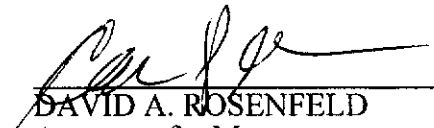
4. The parties further respectfully request that if any hearing be necessary in this matter that the parties be permitted to participate in that hearing by phone.

WHEREFORE, for the reasons stated above, the parties respectfully request that the Court stay the pending motion to quash, continue the hearing thereon until July 27, 2007, and permit the parties to participate in the July 27th hearing by phone.

Dated: June 6, 2007

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By:


DAVID A. ROSENFELD
Attorneys for Movants
TIM DUBNAU and HUGH WOLFE

BREDHOFF & KAISER PLLC

By:

per telephone authorization 06.06.07
ALICE O'BRIEN
Attorneys for Movants
TIM DUBNAU and HUGH WOLFE

INTERNET LAW GROUP

By: per telephone authorization 06.06.07
JON L. PRAED
Attorneys for MCI, LLC

114712/459443

Dated: June 7, 2007



PROOF OF SERVICE

I am a citizen of the United States, and a resident of the State of California. I am over the age of eighteen years, and not a party to the within action. My business address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501-1091. On June 6, 2007, I served upon the following parties in this action:

Alice O'Brien
Bredhoff & Kaiser PLLC
805 15th Street NW
Washington, DC 20005

Jon L. Praed
Internet Law Group
4121 Wilson Boulevard, Suite 101
Arlington, VA 22203

copies of the document(s) described as:

**JOINT REQUEST TO CONTINUE HEARING UNTIL JULY 27, 2007 AND
TO APPEAR BY TELEPHONE**

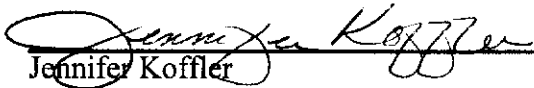
☒ **BY MAIL** I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Alameda, California. I am readily familiar with the practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the United States Postal Service the same day as it is placed for collection.

☐ **BY PERSONAL SERVICE** I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and caused the same to be delivered by hand to the offices of each addressee.

☐ **BY OVERNIGHT DELIVERY SERVICE** I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and placed the same for collection by Overnight Delivery Service by following the ordinary business practices of Weinberg, Roger & Rosenfeld, Alameda, California. I am readily familiar with the practice of Weinberg, Roger & Rosenfeld for collection and processing of Overnight Delivery Service correspondence, said practice being that in the ordinary course of business, Overnight Delivery Service correspondence is deposited at the Overnight Delivery Service offices for next day delivery the same day as Overnight Delivery Service correspondence is placed for collection.

☐ **BY FACSIMILE** I caused to be transmitted each document listed herein via the fax number(s) listed above or on the attached service list.

I certify that the above is true and correct. Executed at Alameda, California, on June 6, 2007.


Jennifer Koffler

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